

CITY COUNCIL MEETING
JANUARY 5, 1983

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing regarding the Declaration of Impaction dated September 7, 1982 by the Lodi Unified School District Board of Trustees.

Following introduction of the matter, Ms. Mary Joan Starr, Facility Planner for the Lodi Unified School District, spoke on behalf of the subject Declaration of Impaction and responded to questions as were posed by members of the Council.

Mr. Ellerth E. Larson, Superintendent, Lodi Unified School District also addressed the Council on the matter and responded to questions posed by the Council.

SEPTEMBER 7, 1982
DECLARATION OF
IMPACTION BY THE
LODI UNIFIED
SCHOOL DISTRICT
BOARD OF TRUSTEES
ACCEPTED

There were no other persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

A lengthy discussion followed with questions being directed to Staff and to those persons who had given testimony.

On motion of Council Member Snider, Olson second, Council accepted the Declaration of Impaction by the Lodi Unified School District Board of Trustees, dated September 7, 1982. The motion carried by the following vote:

Ayes: Council Members - Murphy, Olson, Snider, and Reid (Mayor)
Noes: Council Members - Pinkerton
Absent: Council Members - None

Pa

NOTICE OF PUBLIC HEARING REGARDING
DECLARATION OF IMPACTION DATED
SEPTEMBER 7, 1982 BY LODI UNIFIED
SCHOOL DISTRICT BOARD OF TRUSTEES

WHEREAS, Ordinance No. 1149, entitled, "An Ordinance of the City of Lodi to Provide for the Dedication of Land or Fees or Both as a Condition to the Approval of New Residential Developments, for the Purpose of Providing Classroom Facilities Where Conditions of Overcrowding Exist in a Public School Attendance Area", which was adopted by the Lodi City Council on August 2, 1978, provides that the Governing body of a school district which operates, in whole or in part, within the City of Lodi may at any time pursuant to Government Code Section 65971, notify the City Council that it has found that:

- (1) conditions of overcrowding exist in one or more attendance areas within the district which will impair the normal functioning of educational programs including the reason for such conditions existing,
- (2) all reasonable methods of mitigating conditions of overcrowding have been evaluated; and
- (3) no feasible methods for reducing such conditions exist.

Such notification shall remain in effect until withdrawn in writing by the governing body of the school district.

Upon receipt of such notice, the City Council shall schedule and conduct a public hearing on the notification for the purpose of allowing interested parties to comment on the matter. Following such hearing, the City Council shall determine whether it concurs in such finding. If the City Council concurs, it shall by resolution designate the school as an overcrowded school.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby set a Public Hearing on Wednesday, January 5, 1983 at the hour of 8:00 p.m., or as soon thereafter as the matter may be heard, in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California, to receive public input on notification received from the Lodi Unified School District declaring a state of impaction in twenty attendance areas.

Information regarding this item may be obtained in the office of the City Clerk at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views either for or against the above proposal. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

Dated: November 17, 1982

By Order of the City Council

ALICE M. REIMCHE
City Clerk



ledi unified school district



DECLARATION OF IMPACTION REPORT



1982 - 1983

Board of Education

John Vatsula, President

Ann Johnston, Vice-President

Bonnie Meyer, Clerk

Frances Derrick

Floyd Dale

Eleanor Todd

Robert Ball

Administration

Ellerth E. Larson, Superintendent

Tom Bandelin, Assistant Superintendent

Ronald Alsup, Assistant Superintendent

Mary Joan Starr, Facility Planner

Joan Pipes, Acting Business Manager

Ralph Wetmore, Administrative Director of Personnel

Lodi Unified School District

**1982-1983
DECLARATION OF IMPACTION
REPORT**

**Approved by the Board of Education
September 7, 1982**

**Prepared by
Facilities and Planning Office**

1982 - 1983

DECLARATION OF IMPACTION REPORT

This report declaring continued conditions of student overcrowding in certain school attendance areas¹ in the Lodi Unified School District, has been prepared in fulfillment of the requirements of State Government Code Section 65978 and the requirements of the implementing ordinances of the Cities of Stockton and Lodi and San Joaquin County.

DECLARATION OF IMPACTION

In January of 1982 approximately 4,970 students in the Lodi Unified School District were considered "unhoused" by the State Allocation Board, meaning that there were insufficient permanent classrooms to adequately house that number of students. Enrollment projections indicate the number of unhoused students will continue to exceed 4,500 in the 1982-1983 school year, thereby necessitating continued and additional temporary student housing alternatives.

It is the District's plan to house regular, special education and pull-out program students in the following manner during the 1982 - 1983 school year.

- 420 permanent classrooms
- ??? "other" in-school spaces, ie. storage areas, work rooms, offices, etc. that are used as classroom space
- 16 leased and District-owned trailers
- 8 mini-school rooms in temporarily converted duplexes
- 16 maxi-school rooms in temporarily converted duplexes
- 37 District-owned relocatable rooms
- 7 District-owned relocatable rooms for Adult Education
- 84 State-lease emergency portables (32 in-place, 52 new)
- 6 rooms in leased quarters for the Career Center
- 1 leased house used for blind student education

¹Attendance Areas are determined each year by the Assistant Superintendent, Elementary Education in cooperation with the District Administration and Staff. A publication, reviewed by the Board, is prepared each year. There may be more than one elementary school in an Attendance Area.

Enrollment projections and classroom loading are detailed by Attendance Area school in Exhibit A. New enrollment for the 1982-1983 year is expected to be slightly less than or equal to that in previous years as a result of the stagnant housing market; however, a sharp economic turnaround could result in a sudden influx of new students if only a fraction of approximately 6,330 NEW RESIDENTIAL UNITS WITHIN THE LODI UNIFIED SCHOOL DISTRICT awaiting approval and/or financing are constructed. In addition, one could expect accelerated subdivision of acreage now shown on local General Plan Maps for eventual residential development, the greenbelt initiatives notwithstanding.

Based on the known extent of overcrowding, the anticipated increase in enrollment, and the known potential for all subdivision activity within the impacted attendance areas of the Lodi Unified School District, the Governing Board declared the following attendance areas impacted for the purposes of requesting the continued imposition and collection of development fees by local governments. A copy of Board Resolution 82-40 and amending Resolution 82-43 are set forth as Exhibits B and C in this report.

Lodi Unified School District
IMPACTED SCHOOL ATTENDANCE AREAS
1982 - 1983

Lodi High School Attendance Area
Tokay High School Attendance Area
Liberty High School Attendance Area

Morada Middle School Attendance Area
Senior Elementary School Attendance Area
Woodbridge Middle School Attendance Area
Needham Middle School Attendance Area

Davis Elementary School Attendance Area
Elkhorn Elementary School Attendance Area
Henderson Elementary School Attendance Area
Heritage Elementary School Attendance Area
Lakewood Elementary School Attendance Area
Lawrence Elementary School Attendance Area
Lockeford/Clements Elementary School Attendance Area
Leroy Nichols Elementary School Attendance Area
Oakwood Elementary School Attendance Area
Otto Drive Elementary School Attendance Area
Parklane Elementary School Attendance Area
Victor Elementary School Attendance Area
Vinewood Elementary School Attendance Area

EXHIBIT A
DETERMINATION OF IMPACTION

SCHOOL (18)	PERMANENT CLASSROOMS						STUDENT CAPACITY OF PERMANENT CLASSROOMS				SPACE UTILIZATION				INTERIM HOUSING (19)			
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	
	Permanent Classrooms	Add 8 P.M. Kindergartens	Minus Special Program Rooms (14)	Net Permanent Classrooms A+B+C	Regular Student Capacity (15)	Special Program Capacity C x 12 students	Net student Capacity of School E + F	Projected Enrollment 1982-1983	Extra or deficient Student Capacity G - H	State Lease Portables	District - Owned Relocatables	Leased or Owned Trailers (21)	Kind or Next School Rooms					
Loati High School	66	-	-	61	1830	60	1890	2040	- 150	2	4	-	-					
Tokay High School	69	-	-	65	1950	36	1986	2402	- 616	14	2	1	-					
Liberty High	3	-	-	2	60	12	72	293	- 221	4	4	-	-					
Horada Middle School	12	-	-	10	300	24	324	550	- 226	9	1	2	-					
Senior Elementary	32	-	-	30	900	24	924	987	- 63	3	3	2	-					
Woodbridge Middle	17	-	-	14	420	36	456	575	- 119	2	1	1	-					
Needham Middle (1)	13	-	-	12	360	12	372	500	- 140	8	-	-	-					
Davis Elementary (2)	20	1	2	18	540	12	552	903	- 309	4	-	-	6(17)					
Elkhorn Elementary (2)	7	0	2	5	150	24	174	690	- 516	6	6	-	0(17)					
Henderson Elemem. (3)	3	0	3	3	90	0	90	205	- 115	6	-	-	-					
Heritage Elementary	18	2	2	18	540	24	564	660	- 96	-	-	2	-					
Houston Elementary (4)	13	-	1	12	360	12	372	400	- 40	-	-	-	-					
Lakewood Elementary	19	1	3	16	480	12	492	514	- 22	-	-	-	-					
Lawrence Elementary	7	1	2	6	180	24	204	300	- 96	3	-	-	-					
Live Oak Elementary	11	1	3	9	270	36	306	364	- 58	2	2	-	-					
Lockeford Elemem. (5)	7	0	0	7	210	0	210	256	- 46	1	2	-	-					
Clematis Elemem. (5)	3	1	0	4	120	0	120	108	- 12	-	-	-	-					
Lorothy Mahin (6)	6	0	6	-	-	-	-	60	-	-	-	-	-					
Leroy Nichols Ele. (7)	20	2	1	21	630	12	642	750	- 108	2	-	1	-					
Oakwood Elementary (8)	0	0	0	0	0	0	0	660	- 660	17	5	-	-					
Otto Drive Elemem. (9)	0	0	0	0	0	0	0	414	- 414	-	-	-	13					
Parlane Elemem. (10)	7	1	1	5	150	12	162	826	- 664	10	6	-	-					
Ray Elementary (11)	3	0	0	3	90	0	90	67	- 23	-	-	-	-					
Turner Elementary (11)	2	0	0	2	60	0	60	53	- 7	-	-	-	-					
Erna Reese Elementary	17	1	3	14	420	36	456	454	- 2	-	-	-	-					
Tokay Colony Ele. (12)	4	0	0	4	120	0	120	97	- 23	1	-	-	-					
Victor Elementary	9	1	1	8	240	12	252	252	- 0	-	-	-	-					
Vinewood Elementary	18	1	3	16	480	36	516	603	- 87	-	-	-	-					
Washington Elementary	14(13)	1	3	12	360	36	396	392	- 4	-	-	-	-					

NOTATIONS

- Grade 1 and 8 students from portions of Ellsburn and Oakland Avenues will be housed at Needham until construction of the new school in North Weston. Needham elementary students 1 to 5 (Grades 1 to 5) to Vincent.
- Includes the Davis/Phelan and Ellsburn Area Schools. Students from old housing being listed as go to Ellsburn.
- Needham will house grade 6-8 students from Needham Village subdivisions and classes of official and talented students. Needham (Attendance Area) students attend Vincent.
- Approx 100 grade 1-8 school with 100 grade students from Lakeside/Clements A
- Grades 1-8 go to Lakeside and 1-5 to Clements
- Needs houses only mental education students
- Students from the old Vincent A attend Nichols
- Grades 1-5 from Oakland at official Oakland with Needham subdivisions kindergarten also attending Oakland. Western Valley and Davis Oaks Subdivisions kindergarten attend Ellsburn West.
- Old Drive is grade 1-8, kindergarten attend Ellsburn West
- Position includes grades 1-5 from Needham Village Subdivision
- Grades 1-5 attend Ray and grades 1-8 attend Turner
- Grades 1-8 attend Tokay Colony and Ellsburn/Phelan attend Live Oak
- There are 11 classrooms at Needham School, with 7 to be converted to a 200 facility this school year
- Includes all type of special education classes, in English as a second language, learning disability, resource specialties, etc. Rooms are indicated because they are located at Live Oak but the building of a regular classroom, in 12 students, in 12 students. This column is intended to include only permanent classrooms used for these classes. Column 2 is room building children's facilities. These students are assigned to special education classes, in 12 students, in 12 students. These students may be added to the total enrollment of the school, in 12 students, in 12 students. These students may be added to the total enrollment of the school, in 12 students, in 12 students. These figures and others used by the District for scheduling subdivisions at the Live Oak site are compiled from the same source as the "normal" classroom buildings; however, current contractual agreements pertain to classroom size and practicality results in an actual building in most cases of less than 30 students/room
- These are locally generated school projections, calculated for the purposes of classroom planning. There may be some deviation from these due to local variations due to varying construction
- There are 4 kindergarten rooms with 1 classroom resulting 4 buildings for Ellsburn West and 4 rooms with 2 (1984) grades and a kindergarten classroom at Davis/Phelan West
- Generally the Attendance Area (AA) and the school are the same; however, in certain situations (as noted above) students from one attendance area may be attending a school in another area or areas have been combined. This has been taken into account in the figures in column 1.
- There are also to be interim housing in the permanent facilities, in 12 classrooms, offices, etc. and double sessions with Davis School
- There are 16 total trailers, however, more specifics were not possible as space are still underway.

EXHIBIT B

BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL DISTRICT
OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

4.

RESOLUTION NO. 82-40
1982-1983 DECLARATION OF IMPACTION

WHEREAS, the development of new residential property results in the demand for school facilities; and

WHEREAS, the construction of new residences and the resultant increase of students continues; and

WHEREAS, students from new residential units in overcrowded attendance areas cause an immediate need for classroom solutions; and

WHEREAS, Lodi Unified School District has considered and acted upon such options as (1) presentation to the voters of bond measures to provide capital funds for permanent school housing, (2) temporary buildings, (3) double sessions, (4) bussing, (5) school attendance boundary realignment, and has considered, and for good and sufficient reasons chosen not to act upon, (6) year-round school attendance and (7) extended day programs (high school); and

WHEREAS, there have been no developer provided facilities as defined in Government Code Section 65978.

WHEREAS, pursuant to Government Code Section 65978 the City of Lodi has enacted Ordinance No. 3095-C.S., and the County of San Joaquin has enacted Ordinance No. 2571 to assist school districts mitigating the impact of new home construction; and

WHEREAS, the aforementioned Ordinances require residential developers to participate in the cost of interim solutions necessitated by the overcrowding of existing classroom facilities due to new residential construction; and

WHEREAS, this Board has reviewed the content of the master Site Capacity Table prepared by staff, a copy of which is attached hereto, and has approved said report for public distribution;

THEREFORE, IT IS HEREBY RESOLVED that the Lodi Unified School District declares impaction in these school attendance areas affected by current and proposed development plans, to wit:

- Davis Elementary School Attendance Area
- Elkhorn Elementary School Attendance Area
- Heritage Elementary School Attendance Area
- Lakewood Elementary School Attendance Area
- Lawrence Elementary School Attendance Area
- Leroy Nichols Elementary School Attendance Area
- Orkwood Elementary School Attendance Area
- Vinewood Elementary School Attendance Area
- Morada Middle School Attendance Area
- Woodbridge Middle School Attendance Area
- Lodi High School Attendance Area
- Tokay High School Attendance Area
- Liberty High School Attendance Area

BE IT FURTHER RESOLVED that the Superintendent be, and he hereby is, directed to transmit a certified copy of this resolution and the accompanying staff report to the City Councils of Lodi and Stockton and the Board of Supervisors of the County of San Joaquin for the consideration and concurrence following public hearings before their respective bodies.

PASSED AND ADOPTED this 3rd day of August, 1982, by the following vote of the Board of Trustees, to wit:

AYES: Vatsula, Meyer, Johnston, Todd, Derrick, Dale, Ball

NOES: None

ABSENT: None

ATTEST:


JOHN VATSULA, President
Board of Trustees


BONNIE MEYER, Clerk
Board of Trustees

EXHIBIT C

BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL
DISTRICT OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

RESOLUTION 82-43

RESOLUTION AMENDING RESOLUTION 82-40 1982-83 DECLARATION OF IMPACTION

WHEREAS, on the 3rd day of August, 1982, this Board of Trustees duly adopted Resolution 82-40 1982-83 Declaration of Impaction, and;

WHEREAS, said Resolution sets forth the District's condition of overcrowded classrooms and determines the impacted attendance areas;

NOW, THEREFORE, BE IT RESOLVED that Resolution 82-40, is hereby amended by altering the list of Impacted Attendance Areas to include the following:

Live Oak Attendance Area
Lockeford/Clements Attendance Area
Parklane Attendance Area
Sr. Elementary Attendance Area
Victor Attendance Area
Needham Middle School Attendance Area
Henderson Attendance Area
Otto Drive Attendance Area

PASSED AND ADOPTED this 7th day of September 1982, by the following vote of the Board of Trustees of the Lodi Unified School District, to wit:

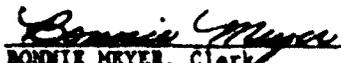
AYES: Vatsula, Johnston, Meyer, Ball, Derrick, Todd

NOES: None

ABSENT: None


JOHN VATSULA, President
Board of Trustees

ATTEST:


BONNIE MEYER, Clerk
Board of Trustees

HOUSING OPTIONS

The Lodi Unified School District is actively pursuing solutions to existing and projected student housing inadequacies on two fronts.

First, the District is pursuing permanent facilities with applications for eight new schools and expansion of two others in-process with the Office of Local Assistance at the State level. A summary of the status of these applications is contained in the "Facility Project Update Report" presented to the District Board on August 3, 1982. In December, 1982 student housing needs will be re-evaluated by the District, the State Board of Education and the Office of Local Assistance. The District's applications will be reviewed and consideration will be given to amendment or addition of projects based on the number of unhoused students and the number of priority points.

Secondly, the District is making every effort to house children on an interim basis with minimal adverse impact on the educational program. An important consideration in determining the most reasonable housing alternative is the neighborhood school concept. Also important is the equal loading policy which causes all schools throughout the District, within a given grade span, to house the same proportion of students relative to capacity, where practical. Equal loading is a concept that works well in an urban area but provides extraordinarily long bus rides for students when the area of impaction and growth is substantially removed from the area where classrooms are available. As growth continues, and the schools become overcrowded before new facilities can be constructed, the District has considered and will continue to consider the following alternatives:

Bussing

Bussing is used as an interim process to implement the equal load policy. The Board finds that no pupil should be bussed from his attendance area, but if necessary, never more than 10 miles from the "full" school to the school of redirection.

Double sessions - Elementary Schools

Double sessions in the primary grades retain the same amount of in-class time. In each of the instructional sections, double sessions are perceived as being disadvantageous to the students attending school in the p.m. shift. The fabric of society rejects the concept of young children being in school from 12:30 p.m. to 5:00 p.m. followed by what may be an extended period of time on the school bus. Older children (above grade 4) lose a significant amount of instructional time through the device of double sessions, and it is perceived as being totally unacceptable as other than an extremely short-term measure for grade 1 - 3 pupils.

Extended day programs - High Schools

Programs in the early morning or in the late afternoon may be devised to utilize a high school plant at above - normal carrying capacity. Such

programs are found to have relatively small pupil/parent interest, are not conducive to intergration with established bussing schedules, and are not viable answers to impaction.

School boundary realignment

This device has been used to accomodate growth in an immediately adjacent attendance area. Where growth is scattered or substantially removed from school houses with room available, realignment is ineffective. Boundary realignment is not a viable permanent solution beyond that already accomplished considering the growth rate of the several attendance areas in this District and their close proximity to each other. A de-annexation of territory (formation of a new district or transfer of territory to an existing neighboring district) is not considered a political reality.

Year-round Schools

A year-round school program has the potential of increasing available classroom space by 18% to 25% or more. District staff, Board members and the YRS Committee are continuing studies on the appropriateness of YRS in LUSD and to determine those schools most suited for possible implementation of such a program in the 1983-1984 school year.

Long term class load factors have been 27 pupils at grades K-3, and 28 pupils at grades 4-8; however, it has been necessary because of lack of space, to load the classrooms at an average of 30 pupils per room. Classloading is a contractual item with teachers.

Emergency classrooms- State Lease Portables.

Assembly Bill 8, signed by the Governor on July 24, 1979, enacted the Emergency Classroom Law of 1979. Under this Law, Lodi Unified School District has received thirty two (32) portables for use in 1981-1982 and will receive 52 portables for use in 1982-1983. These units are subject to recall by the State of California should there be a greater need elsewhere in the State. These units can be used for regular classroom programs only and must be loaded at the rate of 30 students per unit. Although the units are quite utilitarian and most sites have room on an interim basis, support facilities such as play area, bathrooms, cafeteria, multi-purpose room, lockers, etc. are taxed well beyond capacity with the additional classroom units.

Trailers

The District currently leases a number of trailers to house special education programs. The capacity of these units is approximately 12 students and the lease and setup costs are two to three times the cost of the State portables. The District will attempt to phase out all trailers in favor of State lease portables where possible. This will require moving special education classes into regular classrooms and regular programs into the portables.

8.

Temporary Buildings

The District currently leases duplex units for classrooms in North Stockton. A spot amendment to legislation was necessary to permit their use as they do not meet earthquake safety standards. The legislation expires in 1986. These units were also very costly to setup and rents far exceed the cost of State portables. However, they are self-contained sets. The District also leases a store building for the ROP program.

Relocatable Units

Relocatables are herein defined as portable units owned by the District. Many of these units are more than 15 years old; however, they have been quite serviceable. As a matter of policy, all new schools are being designed with a certain number of relocatable portables in anticipation of a declining enrollment situation in the future. This will give the District flexibility in housing students in the future and the use of relocatables in the master plans gives the District bonus points which can be applied towards additional square footage in permanent buildings.

DEVELOPMENT FEES

The Development Fee has become an important means for the provision of interim housing solutions in the Lodi Unified School District, and will become increasingly so as the District receives decreased State appropriations. Since 1978, the Lodi Unified School District has spent \$1,150,670.00 to provide interim housing (not including the \$204,000 budgeted for the new portables). In total \$666,992.00 has been collected in Development Fees through June, 1982. Consistent with the requirements of State law and the intent of local ordinances, Development Fee revenue has been used to provide interim facilities in the attendance area where it was collected. A detailed explanation and breakdown of revenues and expenditures is in the June, 1982 report, "Allocation of Development Fees."

The District can use development fees only for interim facilities which are strictly defined in the State Government Code.¹ Basically portables only.

¹ Section 65980 of the State Government Code states,

For the purposes of Section 65974, 'classroom and related facilities,' and 'elementary or high school facilities' mean 'interim facilities' as defined in this section and shall include no other facilities.

"Interim facilities for the purposes of Section 65974 shall be limited to the following:

(a) Temporary classrooms not constructed with permanent foundations and defined as structures containing one or more rooms, each of which is designed, intended, and equipped for use as a place for formal instruction of pupils by a teacher in a school.

(b) Temporary classroom toilet facilities not constructed with permanent foundations.

(c) Reasonable site preparation and installation of temporary classrooms."

Although definitely of an interim nature, the mini and maxi schools are excluded by definition; therefore, development fee revenue can not be used for the annual lease payments of \$126,000.

During the time the development fees were impounded, the Lodi Unified School District negotiated nine separate agreements with developers for direct payment of fees to the District in-lieu of payment of the "bedroom tax" at the time of the building permits. To date, no fees have been collected under an agreement. The District is now contacting each developer during the project planning and approval stage to request that they voluntarily enter into an in-lieu agreement.

Fees and funds collected by the District under the authority of an agreement can be used for any school facilities serving the attendance area. The School District is tentatively projecting 150 new units in the 1982-1983 school year with an average fee of \$700/unit which will provide a projected revenue of approximately \$105,000.



United School District



A Report on
ALLOCATION OF DEVELOPMENT FEES

Prepared by
Facilities and Planning
July 1, 1982

A Report on
ALLOCATION OF DEVELOPMENT FEES

INTRODUCTION

The purpose of this report is to discuss the process used by Lodi Unified School District to relate development fee revenue to expenditures for temporary school facilities.

Contained within is a discussion on the impounded development fees and a summary of revenue amounts by jurisdiction; a summary of expenditures incurred during the impoundment period; a fixed figure representing the amount of development fee revenue which can be returned to the General and/or Site Funds as a "payback;" complete detail on how that figure was calculated; a complete listing of assumptions and qualifiers relative to the process of allocation; an outline of the process to be used in allocation by the District; and a summary of income and expenditures beyond those related to the impounded fees.

DEVELOPMENT FEE REVENUE

In 1978 the Cities of Lodi and Stockton and the County of San Joaquin adopted ordinances requiring the collection of per bedroom fees for the mitigation of the impact of development on specified overcrowded schools in the Lodi Unified School District. Between 1979 and May, 1982 (inclusive) the local agencies collected fees at the time building permits were taken out for residences on parcels created after the date of the ordinance; however, as a result of litigation in Shasta County, all fees were "impounded" until the State Supreme Court settled the issue, whereupon the "impounded" fees, plus interest, were released to the School District.

A summary of the impounded development fees (also called the bedroom tax and impaction fee) is shown below.

Since release of the "impounded" fees each jurisdiction sends the District a check as fees are received and an accounting of where the subject residence is located by subdivision. It is this information which enables the District to allocate the fees by attendance area or school.

IMPOUNDED DEVELOPMENT FEE REVENUE

SCHOOL ATTENDANCE AREA	SUBDIVISION	FEES COLLECTED
<u>Development Fees - Lodi as of 3/16/82</u>		
Heritage - Sr. Elem - Tokay High	Cambridge Place	\$ 44,094.36
Nichols - Sr. Elem - Tokay High	Beckman Ranch	6,063.01
	Winchester Oaks	36,170.18
Reese - Woodbridge - Lodi High	Millswood	30,190.40
Vinewood/Henderson - Sr. El - Tokay	Lakeshore Village	9,801.79
		<u>\$ 126,319.74</u> *
 <u>Development Fees - Stockton as of March, 1982</u>		
Elkhorn - Sr. Elem - Tokay High	Colonial Estates No.	\$ 273,232.00
Davis - Morada - Tokay High	Fox Creek	141,662.00
	Clairmont #1	54,174.00
Parklane - Sr. Elem - Tokay High	Summerplace III	10,463.00
	1st Pentecostal Church	6,680.00
		<u>\$ 486,211.00</u>
<u>Development Fees - San Joaquin County as of 4/30/82</u>		\$ 26,412.00
Listed with Revenue/Expenditure Accounting Forms		
GRAND TOTAL		<u>\$ 638,942.74</u> **

* Interest included in each subdivision total - Lodi - \$ 6,719.74
 Stockton - 58,906.00

** Last 1/4 revenue for 1981-82 - \$3,380
 (See Chart at end of Report).

INTERIM FACILITY EXPENDITURES

Between 1977 and 1982 the District incurred a number of expenditures for the purpose of providing interim housing facilities, consistent with the provisions of the State Government Code. All of these expenditures were made from Fund 01 (the General Fund) and Fund 03 (the Site Fund), and most were made with the expressed intention of applying development fee revenue towards those expenditures when it became available. Interim housing expenditures during this period are detailed below.

INTERIM HOUSING EXPENDITURE REVIEW

Original Expenditure Fiscal Year	School	Expenditures Through June 30, 1982	
		Fund 03 *	Fund 01 **
77 - 78	Parklane Mini	0	\$ 93,169
	Relocate Portables		
	Lockeford(2)Elkhorn(1) @ \$22,562	0	67,686
78 - 79	Relocate Portables - Elkhorn	\$ 24,018	0
79 - 80	Relocate Portables		
	Parklane (9)Oakwood (6)/ Tokay High (2) @ \$26,051.47	442,875	0
	Elkhorn Mini	9,525	44,200
80 - 81	State Portables @ \$2,000 * setup (lease prorated)		
	Oakwood (8)	72,887	40,245
	Elkhorn (2)	4,089	8,732
	Morada (4)	2,406	19,587
	Parklane (8)	2,890	47,210
	Tokay High (8)	5,874	35,162
	Woodbridge (2)	706	8,772
	Mini School Leases		33,600
81 - 82	Otto Drive Maxi School	0	114,500
	Mini School Leases	0	33,600
	State Portables @ \$2,000 (see above)	0	64,000
	Lease Trailers ***		
	Woodbridge	-	8,211
	Morada (2)	-	15,990
	Davis	-	8,487
	Heritage	-	4,661
	Needham	-	4,388
ALL YEARS	Subtotal	\$565,270	\$ 652,600
	GRAND TOTAL	<u>\$ 1,217,870.00</u>	

* Fund 03 - Special Reserve, or Site Fund

** Fund 01 - General Fund

*** Expenditures for Lease Trailers Presumed to be Entirely from General Fund

ALLOCATION OF REVENUES

In May, 1982, Lodi Unified received \$638,942.74 from local jurisdictions. This was the total amount of Development Fee Revenue, plus interest, that had been collected, and impounded, between 1979 and the date of release.

It has been determined that \$595,987.74 of the \$638,942.74 collected could be returned to the General and/or Site Funds as payback for expenditures made during the qualifying period. In May of 1982 the Board authorized a transfer of \$138,558.00 from the Development Fee Fund to the General Fund to cover the startup costs for Henderson and Needham Schools for school year 1982-1983. \$457,429.74 remains which can be transferred out of the Development Fee Fund to the General and/or Site Funds at this time. It is anticipated that additional revenue may also be transferred from fourth quarter revenue recently received as payback for 1981-1982 expenditures; however, those figures are not included here. Below is a summary of the disposition of the impounded Development Fee Revenue.

SUMMARY OF ALLOCATION OF IMPOUNDED DEVELOPMENT FEES

Fiscal Year	Development Fee Revenue	Total Qualifying Expenditures (2)	Total Expenditures "Recovered" (3)	Total Revenue Applied to Qualifying Expenditures	"Unexpendable" Revenue to be Carried Forward (7)	Total Expenditure Not "Recovered"
1979-1980	\$ 274,370.17	\$ 496,600.00	\$ 279,221.74	\$ 268,370.17	\$ 6,000.00	\$ 217,378.26
1980-1981	255,149.02	248,560.00	247,438.00	250,991.02 (4)	4,158.00	1,122.00
1981-1982 (3 quarters)	109,423.55	106,137.00	69,328.00	76,626.55 (5)	32,797.00	36,809.00
Totals	\$ 638,942.74 (1)	851,297.00	595,987.74	595,987.74 (6)	42,955.00	255,309.26

- (1) Amount that was impounded by Lodi, Stockton, and San Joaquin County and sent to LUSD in May, 1982
- (2) See chart "Interim Housing Expenditure Review" and discussion on assumptions and qualifiers
- (3) See Development Fee Revenue/Expenditure Accounting Forms for expenditures relative to income by year
- (4) Includes \$3,553.02 in interest which was applied to 1979-1980 expenditures - see qualifiers
- (5) Includes \$7,298.55 in interest which was applied to 1979-1980 expenditures - see qualifiers
- (6) \$595,987.74 - \$138,558.00 (transferred 5/82 as a "pay back" to General Fund to cover Needham and Henderson School startup costs) = \$457,429.74 for transfer to General and/or Site Funds at this time (as "payback")
- (7) Revenue from residential developments in attendance areas where there were not equal qualifying expenditures

On July 6, 1982 the Board received a copy of this report. Following discussion it was moved, seconded (Todd; Meyer) and unanimously approved to authorize the immediate transfer of \$457,429.74 to the General Fund from the Development Fee Fund as "repayment" for Interim Housing Expenditures.

The Process

The process developed for allocation of Impounded Development Fee Revenue hinges around the need to directly relate revenue from residential developments to the school or attendance area serving that development. "Plan A" adopted by the Board in March, 1979, to guide the distribution of impact fee revenue states,

Apply the total fee to any one of the attendance areas that is impacted, even though all three attendance areas qualify within the geographic element. Advantages: 1) more flexibility in the use of funds; 2) more rapid accumulation of funds; 3) less likely that unencumbered balances will remain. Disadvantages: 1) more likelihood of responding to localized political pressure; 2) greater difficulty in responding to criticism that 'Lodi money is used in Stockton' and vice versa; 3) greater difficulty in convincing elected officials that resources collected are used in the immediate area.

This process implements the Board's formula. The steps in development of the process were: 1) establish assumptions and qualifiers as a basis for determining qualifying and eligible expenditures and allocating revenues in less than clear-cut cases; 2) determination of attendance areas by year for each development; 3) charting of revenues by development and expenditures by school for each fiscal year since adoption of the ordinances up to release of the impounded fees; 4) allocation of the revenues to each expenditure on the "Development Fee Revenue/Expenditure Accounting Forms;" 5) summing all figures to provide a "Summary of Allocation of Impounded Development Fees;" and 6) adaptation of the process to the ongoing situation.

Assumptions and Qualifiers

Inherent in any process is the need to establish a base.

The recommended allocation of development fees is based on strict interpretation of the enabling legislation. Government Code Sections 65970-65978 (SB 201 - 1968) permit local jurisdictions to adopt ordinances to exact fees from residential developers in lieu of land dedication for purposes of providing interim school facilities. Lodi, Stockton and San Joaquin County adopted ordinances in late 1978 and immediately started collecting fees from builders whose parcels were created after the effective date of the applicable ordinance. Section 65978 requires that Lodi Unified School District maintain an accounting of fees, while Section 65980 limits their use to strictly defined interim facilities. In addition, Government Code Section 65974 (d) states in part,

The location and amount of land to be dedicated or the amount of fees to be paid, or both, shall bear a reasonable relationship and will be limited to the needs of the community for interim elementary or high school facilities and shall be reasonably related and limited to the need for schools caused by the development; . . .

In relating income and expenditures by attendance area and school for each, the following were assumed or used as a basis for decision:

ASSUMPTIONS AND QUALIFIERS

1. The starting date for allocation is fiscal 1979-1980. The fiscal year is used as a time unit; however, some revenue and expenditures may have originated between January-June 1979. It is assumed that these figures are negligible for the purpose and are, therefore, incorporated with the 1979-1980 figures in the matrices and summary charts. Expenditures before 1979 (\$184,873.00) were not considered "eligible," and, therefore, do not appear in any totals.
2. Based on a 1980 change in the definition of interim, a State Attorney General Opinion 79-625 (10-16-79), and the advice of County Counsel, the expense of Otto Drive Maxi School in the amount of \$114,500 was not considered eligible, and, therefore, does not appear in any totals.
3. Elkhorn Mini was considered eligible because the lease and encumbrances predate the change in language of Section 65980 and the facility is clearly interim. The lease renewal will not qualify in 1982-1983.
4. The net amount of "eligible" or "qualifying" expenditures was reduced to \$851,297.00, from a gross amount of \$1,150,670.00.
5. Consistent with Government Code Section 65974, all expenditures must be related to the impacted attendance area containing the contributing residential development. Expenditures by school were "credited" on the basis of the District's Declaration of Impaction Report and the Board formula. Non-impacted schools are not considered eligible.
6. Expenditures made at a school not in the attendance area containing the development, but which was used to house children from that subdivision, as outlined in the annual attendance area reports prepared by the Assistant Superintendent's offices, were considered eligible on the basis of the District's equal loading policy. This would include Woodbridge taking the overflow from Senior Elementary and Lodi High School taking the overflow from Tokay High School.
7. In those attendance areas with several schools (specifically Elkhorn), it is recognized that the impact of any specific development is on the entire attendance area; therefore, expenditures made for any school in the attendance area are considered relative to any paying development built in the attendance area.
8. "Unpaid" or "unrecovered" expenditures made in any given year are not carried to the next year. It is reasoned that if expenditures for interim facilities must relate to need, they are logically made after the building permit is taken out on the residence and not in advance. It is understood that facilities in place certainly serve the new students as well.
9. "Unspent" fees or "unexpendable" revenue received in any given year is carried from year to year on the basis that the need for interim facilities to serve children from the related developments may not arise until some time after the building permit (at which time the fees are collected). Such revenue may be used in any succeeding year for schools serving that development.
10. Interest was a one-time income to the district as a result of fee impoundments. The interest did not come from any developer and was, therefore, allocated at District discretion for any "eligible" expenditure. It was applied; however, only to qualifying expenditures and not for any other district purpose, although that may technically be possible. Since the local jurisdictions willingly turned this revenue over to the District, it is felt that the only proper use is in the manner ascribed.
11. Lease trailers financed directly, or indirectly, by the General Fund are included in the 1981-1982 expenditures. Students housed in lease trailers are substantially from the attendance area of the school where they are located.

Attendance Areas

Elementary, Middle and High School Attendance Areas and specific schools serving each City subdivision paying fees, are listed below. All County fees were accounted for permit by permit; therefore, attendance areas for County developments are listed with the fees on the Development Fee Revenue/Expenditure/Accounting forms. All attendance area information was obtained from the annual attendance area reports.

ATTENDANCE AREAS AND SCHOOLS

DEVELOPMENT	1981-1982	1980-1981	1979-1980
Colonial Estates No. Elkhorn AA	K-Elkhorn Mini 1-6 Needham and Maxi School Sr. El and Tokay	K-Elkhorn Mini 1-6 Needham Sr. El Tokay	K-Elkhorn Mini 1-3 Elkhorn 4 Henderson 5 Washington 6 Needham Sr. El & Tokay High
Fox Creek Davis AA	K-Parklane Mini 1-6 Davis Morada Tokay	K-Parklane Mini 1-6 Davis Morada Tokay	K-Parklane Mini 1-5 Davis 6 Parklane Morada Tokay
Clairmont #1 Davis AA (assume assignment same as Normandy Village)	K-Parklane Mini 2-6 Parklane Sr. El Tokay	K-Parklane Mini 2-6 Parklane Sr. El Tokay	
Summerplace III Parklane AA (Cimarron)	K-6 Parklane Sr. El Tokay	K-6 Parklane Sr. El Tokay	
Pentecostal Church	K-6 Parklane Sr. El Tokay		
Cambridge Place Heritage AA	K-6 Heritage Sr. El Tokay	K-6 Heritage Sr. El Tokay	K-5 Heritage 6 Needham Sr. El Tokay
Beckman Ranch Nichols AA	K-6 Nichols Sr. El Tokay	K-6 Nichols Sr. El Tokay	K-6 Nichols Sr. El Tokay
Winchester Oaks Nichols AA	K-6 Nichols Sr. El Tokay	K-6 Nichols Sr. El Tokay	K-6 Nichols Sr. El Tokay
Millswood Reece AA	K-6 Reece Woodbridge Lodi	K-6 Reece Woodbridge Lodi	K-6 Reece Woodbridge Lodi
Lakeshore Village Vinewood rural	Henderson Sr. El Tokay		

Development Fee Revenue/Expenditure Accounting Forms

This form was developed to provide a format for allocating revenues to expenditures. Included herein are the completed forms and allocations for fiscal years 1979-1980 and 1980-1981 and the first three quarters of 1981-1982. It is anticipated that the form can be used for ongoing accounting of Development Fee Revenue/Expenditure allocations.

The steps in filling-out the form, and thereby allocating revenues are as follows:

ALLOCATING DEVELOPMENT FEE REVENUE

1. Determine reporting period, i.e. fiscal year, quarter, month, etc. Note on form.
2. On form, enter each subdivision and the amount of fee revenue received from that subdivision during the period.
3. Determine the attendance area and schools serving that subdivision.
4. On form, enter each school and the amount of eligible expenditures.
5. On the form enter the amount of revenue brought forward from earlier periods, for each development.
6. Work across the form allocating the fee-revenue received to the schools or attendance areas serving the development; or work down assigning expenditures to each development.
7. Expenditures for which there is no revenue are totaled at the bottom of the form, and revenues for which there is no qualifying expenditure are totaled on the right. Only revenue can be carried forward, by development, for expenditure in a future period. (Be watchful of attendance area changes from year to year - document any relationship to revenue carried forward by development). Expenditures are not carried forward. If the amount spent exceeds the revenue, funds presumably come from the General and/or Site Fund. Facilities paid through categorical program funds are not considered eligible.
8. Development Fee revenue from developments covered by an Agreement should be kept on a form separate from those showing revenue received via local agencies, as fees from agreements may be spent on any school facilities which serve the development. There is no limitation to interim facilities.

FUTURE EXPENDITURES

Expenditures for interim facilities is ongoing in the District. In 1982-1983 an anticipated \$296,132 will be expended for the lease and setup of an additional 52 State portables, lease renewal on 32 State portables and lease renewal on at least 76 trailers, as shown on the following chart. All of these leases are eligible for payment directly from Development Fee revenues. It is anticipated that expenditures will exceed revenue, primarily because of the depressed housing industry. In addition to the eligible leases, the District will continue lease of the Maxi School and the two Mini Schools totaling \$126,600. The District will also lease additional trailers for categorical programs.

ANTICIPATED INTERIM HOUSING EXPENDITURES 1982-1983

<u>School</u>	<u>New Portables</u>	<u>Old Portables</u>	<u>Trailers</u>	<u>Total</u>
Henderson	\$24,000			\$24,000
Oakwood	\$36,000	\$16,000		\$52,000
Needham	\$32,000			\$32,000
Morada	\$16,000	\$ 8,000	\$8,749	\$32,749
Elkhorn	\$16,000	\$ 4,000		\$20,000
Davis	\$16,000			\$16,000
Lawrence	\$12,000			\$12,000
Parklane	\$ 8,000	\$16,000		\$24,000
Nichols	\$ 8,000			\$ 8,000
Tokay	\$24,000	\$16,000		\$40,000
Lodi High	\$ 8,000		\$6,334	\$14,334
Lockeford	\$ 4,000			\$ 4,000
Live Oak	\$ 4,000			\$ 4,000
Heritage			\$4,661	\$ 4,661
Woodbridge		\$ 4,000	\$4,388	\$ 8,388
	<hr/>	<hr/>	<hr/>	<hr/>
	\$208,000	\$64,000	\$24,132	\$296,132

LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE / EXPENDITURE ACCOUNTING FORM
 For Period 1979-1980

FEE REVENUE RECEIVED BY DEVELOPMENT *	EXPENDITURES BY SCHOOL OR ATTENDANCE AREA						REVENUE TO CARRY FORWARD FROM	
	Elkhorn Mini 53,725	Parklane 156,308.82	Oakwood 234,463	Tokay 52,103.18			THIS PERIOD ONLY	PAST PERIODS
Fox Creek 69,875		69,875					-0-	
Colonial Heights No. 153,660	53,725		99,935				-0-	
Millswood 4,800							4,800	
County - Morada 8,900				8,800			-0-	
Cambridge Place 18,400				18,400			-0-	
County - Lodi High 1,200							1,200	
Interest 17,635.17				17,635.17			-0-	
Interest from 80-81 3,553.02				3,553.02			-0-	
Interest from 81-82 7,298.55			3,583.56	3,714.99			-0-	
"unpaid" expenditures	-0-	86,433.82	130,944.44	-0-				

* See separate listing for attendance area and/or school serving each subdivision or development

LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE / EXPENDITURE ACCOUNTING FORM
 For Period 1980-1981

FEE REVENUE RECEIVED BY DEVELOPMENT *	REVENUE BROUGHT FORWARD	EXPENDITURES BY SCHOOL OR ATTENDANCE AREA						REVENUE TO CARRY FORWARD FROM	
		Parklane	Elkhorn	Oakwood	Woodbridge	Tokay	Morada	THIS PERIOD ONLY	PAST PERIODS
		50,100	12,821	113,132	9,478	41,036	21,993		
Summerplace 6,440		6,440						-0-	
Clairmont 47,610		43,660				3,950		-0-	
Colonial Estate No. 98,595			12,821	85,774				-0-	
Cambridge Place 22,400						22,400		-0-	
Inchester Oaks 16,000						13,564		2,436	
Hillwood 10,600	4,800				9,478			1,122	4,800
County-Lodi High	1,200								1,200
County - Clem/Lock, Houston, Lodi High 600								600	
County - Live Oak, Morada, Tokay 600							600	-0-	
County - Vineyard, Sr. El., Tokay 600						600		-0-	
County - Davis, Morada, Tokay 5600							5,600	-0-	

* See separate listing for attendance area and/or school serving each subdivision or development

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LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE / EXPENDITURE ACCOUNTING FORM
 For Period 1980-1981

FEE REVENUE RECEIVED BY DEVELOPMENT *	EXPENDITURES BY SCHOOL OR ATTENDANCE AREA						REVENUE TO CARRY FORWARD FROM	
	Parklane	Elkhorn	Oakwood	Woodbridge	Tokay	Morada	THIS PERIOD ONLY	PAST PERIODS
Interest 46,104.02			27,358			15,193	to 79-80 3,553.02	
"unpaid" expenditures	-0-	-0-	-0-	-0-	522	600		

* See separate listing for attendance area and/or school serving each subdivision or development

LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE / EXPENDITURE ACCOUNTING FORM
 For Period 1981-1982 3 quarters

FEE REVENUE RECEIVED BY DEVELOPMENT	REVENUE BROUGHT FORWARD	EXPENDITURES BY SCHOOL OR ATTENDANCE AREA						REVENUE TO CARRY FORWARD FROM	
		Oakwood 16,000	Needham 4,788	Morada 23,990	Elkhorn 4,000	Davis 8,487	Parklane 16,000	THIS PERIOD ONLY	PAST PERIODS
Summerplace 2,760							2,760		
Fox Creek 54,620				23,990		8,487			
Colonial Estates No. 12,135									
Pentecostal Church 5,880							5,880		
Beckman Ranch 6,000									
Winchester Acres 18,800	2,436								
Hillswood 13,000	5,922								
Lakeshore Village 9,600									
County-LiveOak, Morada, Tokay 780									
County - Clem/Lock, Houston, Lodi High	600								
County - Davis, Morada Tokay 2,820									
County- Lodi High Interest 7,298.55 "unpaid" expenditures	1,200	16,000	4,788	-0-	4,000	-0-	7,360		

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LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE / EXPENDITURE ACCOUNTING FORM
 For Period 1981-1982 3 quarters

FEE REVENUE RECEIVED BY DEVELOPMENT *	EXPENDITURES BY SCHOOL OR ATTENDANCE AREA						REVENUE TO CARRY FORWARD FROM	
	Tokay 16,000	Woodbridge 12,211	Heritage 4,661				THIS PERIOD ONLY	PAST PERIODS
Summerplace							-0-	
Fox Creek	16,000						6,143	
Colonial Estates No.							-12,135	(Fees collected in error - reimbursed)
Pentecostal Church							-0-	
Beckman Ranch							6,000	
Winchester Acres							18,800	2,436
Killswood		12,211					789	5,922
Lakeshore Village							9,600	
County- Live Oak, Morada, Tokay							780	
County - Clem/Lock, Houston, Lodi Hi								600
County - Davis, Morada, Tokay High							2,820	
County - Lodi High								1,200
Interest "unpaid" expenditures	-0-	-0-	4,661				7,298.55 to 79-80	

LODI UNIFIED SCHOOL DISTRICT
 DEVELOPMENT FEE REVENUE / EXPENDITURE ACCOUNTING FORM
 For Period Last 1/4 - 1981-82

FEE REVENUE RECEIVED BY DEVELOPMENT *	EXPENDITURES BY SCHOOL OR ATTENDANCE AREA						REVENUE TO CARRY FORWARD FROM	
	REVENUE BROUGHT FORWARD	Oakwood 16,000	Needham 4,788	Elkhorn 4,000	Parklane 7,360	Heritage 4,661	THIS PERIOD ONLY	PAST PERIODS
Fox Creek	6,143							6,143
Colonial Estates No.	-12,135							-12,135
Beckman Ranch	6,000							6,000
Winchester Acres	21,236							21,236
Millswood	6,711							6,711
Lakeshore Village	9,600							9,600
County-Live Oak	780							780
County-Clements, Lockeford, Houston, Lodi High 2,600	600						2,600	600
County-Davis, Morada, Tokay	2,820							2,820
County - Lodi High	1,200							1,200
780 County-Lakewood, Woodbridge, Lodi High							780	
Unpaid Exp.		16,000	4,788	4,000	7,360	4,661		

* See separate listing for attendance area and/or school serving each subdivision or development